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Gary M. Nath (DC, NY)
Ross A. Epstein (CA)*
Joshua B. Goldberg (VA, DC)
Jerald L. Meyer (VA)
Susanne M. Hopkins (VA)
Robert P. Cogan (CA, DC)*†*

Harold L. Novick (VA, NY) Of Counsel
Lee C. Heiman (CA) Of Counsel*

*Practice limited to Matters and Proceedings before Federal Courts and Agencies; not Admitted in VA
†Contract Partner
***Reg. Patent Agent; not Admitted in VA

THE NATH LAW GROUP

*Attorneys at Law
112 S. West Street
Alexandria, VA 22314
TELEPHONE (703) 548-6284
(703) 548-NATH*

FACSIMILE (703) 683-8396

E-MAIL: IP@NATHLAW.COM
WEB: WWW.NATHLAW.COM

July 23, 2008

FACSIMILE COVER SHEET

TO: U.S. Patent and Trademark Office
Attention: Patricia L. Morris
571-273-8300

Tanya E. Harkins (MD)
Charles D. Niebylski, Ph.D. (MD, DC)*
Sheldon M. McGee (DC)*
Derek Richmond (VA)*
Stanley N. Proutigal (DC)*
H. David Starr (DC, NY)*
Burman Y. Mathis, III (VA, DC)*
Jonathan A. Kidney (MD, DC)*
Ari G. Zyicer (MD)*
Mihsuhi Koh (NY, Korea)*
Lawrence Santucci (MD)*
Robert M. Joynes (MD, NY)*
Alvin E. Tanenholz...*

*Patent, Trademark and Copyright Causes.
Unfair Competition, Trade Secrets.
Licensing and Litigation*

No. of pages total: 10

RE: U.S. Patent Application Serial No. 10/536,766
Title: **PROCESS FOR PREPARING OPTICALLY PURE ACTIVE COMPOUNDS**
Docket: 26763U

Enclosed please find:

(1) Copy of Transmittal Letter; Information Disclosure Statement; and PTO Form 1449 citing 19 cited references. This IDS was filed August 23, 2005 but not entered into PAIR.

Copies of the cited references are not attached as the page length is too large for facsimile transmission. Please let us know if you would like us to provide copies of the cited references, along with the best mode of delivery.

FRED WOLF

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FILING RECEIPT

Attorney Docket No. 26763U

Date: August 23, 2005 Attorney: GMN/SMM

Inventor: KOH L et al.

International Application No: PCT/EP2003/013605

Serial No. 10/536,766

International Filing Date: 03 December 2003 (03.12.2003)

Filing Date: May 27, 2005

Title: PROCESS FOR PREPARING OPTICALLY PURE ACTIVE COMPOUNDS

DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 citing 19 references;
- (4) Copies of 18 of the 19 cited references.

NATH & ASSOCIATES PLLC
1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
(202)-775-8383

FILE CHECK

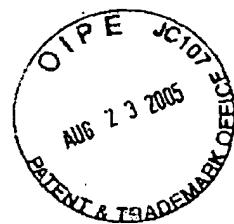
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- (4) Copies of 13 of the 19 cited references.

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1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
(202)-775-8383

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JUL-23-08 11:21;

PAGE 4/10

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Attorney Docket No. 26763J

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1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
(202)-775-8383

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MAIL STOP PCT
Attorney Docket No. 26763U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KOHL et al.

International Application No: PCT/EP2003/013605

Serial No. 10/536,766

International Filing Date: 03 December 2003 (03.12.2003)

Filing Date: May 27, 2005

For: PROCESS FOR PREPARING OPTICALLY PURE ACTIVE COMPOUNDS

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JUL 23 2008

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) Form PTO-1449 citing 19 references.
- (4) Copies of 18 of the 19 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By: 

Gary M. Nath
Registration No. 26,965
Sheldon M. McGee
Registration No. 50,454
Customer No. 34375

Date: August 23, 2005
NATH & ASSOCIATES PLLC
1030 15th Street NW - 6th Floor
Washington, D.C. 20005
GMN/SMM/sw:IDS.trans

MAIL STOP PCT
Attorney Docket No. 26763U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:

KOHL et al.

International Application No: PCT/EP2003/013605

Serial No. 10/536,766

International Filing Date: 03 December 2003 (03.12.2003)

Filed: May 27, 2005

For: PROCESS FOR PREPARING OPTICALLY PURE ACTIVE COMPOUNDS

JUL 23 2008

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

[] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.
The enclosed statement is accompanied by [check one]:
[] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or
[] ii. a check in the amount required by 37 C.F.R. 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.
[] Certification report(e) below; and
[] a check in the amount as required by 1.17(p).

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Serial No.: 10/536,756
Attorney Docket: 26763U
Page 2

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

[] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[] Appropriate certification is attached.

[XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

Serial No.: 10/536,756
Attorney Docket: 26763U
Page 3

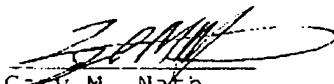
The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date filed: August 23, 2005

By:


Gary M. Nath
Reg. No. 26,965
Sheldon M. McGee
Reg. No. 50,454
Customer No. 34375

NATH & ASSOCIATES PLLC
1030 15th St., N.W., 6th Fl.,
Washington, D.C. 20005-1503
202) 775-8383
GMN/BMM/sw (IDS Statement)